



May 11, 2011

Mr. Aaron Yeow, DFO
U.S. Environmental Protection Agency
Science Advisory Board
1200 Pennsylvania Ave., NW
Washington, DC 20460

Dear Mr. Yeow:

The Association of Metropolitan Agencies (AMWA) is writing to present the following comments to the Science Advisory Board (SAB) Drinking Water Committee Augmented for the Review of the Effectiveness of Partial Lead Service Line Replacements (PLSLR). AMWA is an organization representing the largest publicly owned drinking water utilities in the U.S., and together the membership serves drinking water to over 130 million people from Alaska to Puerto Rico.

AMWA's five comments are specific to the clarity and/or accuracy of the technical information provided in the draft report and the letter from the SAB to EPA Administrator Lisa Jackson, which describes the contents of the report.

1. It is important that the letter to Administrator Jackson and the report text (page 5) also point out that under the 2000 revisions to the Lead and Copper Rule (LCR), a water system that does not meet the action level after installing corrosion control is not only required to replace the portion of the lead service line that it owns, but must also offer to replace the customer owned portion of the line at customer cost. Specifically, §141.84 states, "*A water system shall replace that portion of the lead service line that it owns. In cases where the system does not own the entire lead service line, the system shall notify the owner of the line, or the owner's authorized agent, that the system will replace the portion of the service line that it owns and shall offer to replace the owner's portion of the line. A system is not required to bear the cost of replacing the privately-owned portion of the line, nor is it required to replace the privately-owned portion where the owner chooses not to pay the cost of replacing the privately-owned portion of the line, or where replacing the privately-owned portion would be precluded by State, local or common law. A water system that does not replace the entire length of the service line also shall complete the following tasks.*" The law goes on to discuss how utilities should notify customers about PLSLR under the rule as well as "emergency repair," which in practice can include repairs conducted by the utility in day-to-day operations.
2. On page ii., the report reads, "The available scientific evidence regarding BPb and PLSLR, while limited, does not support the use of PLSLR as an effective or safe measure to reduce Pb exposure of those served by lead service lines." The report only speaks to this issue with respect to Brown et al. (2011) and SAB also found that, "limitations in Brown et al. preclude reaching any definitive conclusions about

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the relation of BPb levels with PLSLR.”

3. Page 3, lines 13-14 and page 19, lines 23-24 note the last guidance EPA published was in 2002, but the text does not specify to which guidance it is referring. EPA’s *Public Notification Handbook* (covering all rules) was last updated in March 2010.

In addition, the two guidance documents specifically addressing the 2000 and 2007 updates to the LCR (including public notification and education) were also updated more recently: *Implementing the Lead Public Education Provisions of the Lead and Copper Rule: A Guide for Community Water Systems* was revised in 2008 and *Revised Lead and Copper Monitoring and Reporting Guidance for Public Water Systems* was revised in 2010. Both are available at:

<http://water.epa.gov/lawsregs/rulesregs/sdwa/lcr/compliancehelp.cfm>.

4. Sec. 3.2, Issue 3, pages 13-15, beginning with line 36 – To the extent that this discussion is not a summary of the sampling protocols themselves but a summary of the SAB’s assessment of the protocol, the text should indicate why the SAB disagrees with the assessment(s) of the various sampling protocols available in the scientific literature. Alternatively, if this section is a summary of the protocols themselves, then the discussion should be referenced accordingly. In general, this section has very few citations compared with the other sections of the report.
5. Page 26 – Regarding EPA’s guidance documents, page 51 of the June 2008 revised *Implementing the Lead Public Education Provisions of the Lead and Copper Rule: A Guide for Community Water Systems* (Appendix B) provides some language that could be revised based on data collected at a water utility to reflect its understanding and research with respect to partial lead service line replacement:

Run your water to flush out lead. Run water for 15-30 seconds to flush lead from interior plumbing [or insert a different flushing time if your system has representative data indicating a different flushing time would better reduce lead exposure in your community and if the State Primacy Agency approves the wording] or until it becomes cold or reaches a steady temperature before using it for drinking or cooking, if it hasn’t been used for several hours. [It is likely that systems with lead service lines will need to collect data to determine the appropriate flushing time for lead service lines.]

Thank you for the opportunity to provide comment. We look forward to the discussions and final SAB report.

Sincerely,

--original signed ---

Diane VanDe Hei
Executive Director